

uals who shall have both expertise in research related to the security of computer systems and knowledge of the vulnerabilities of existing computer systems. The Director shall designate such individuals as program managers.

**(2) Managers may be employees**

Program managers designated under paragraph (1) may be new or existing employees of the Institute or individuals on assignment at the Institute under the Intergovernmental Personnel Act of 1970 [42 U.S.C. 4701 et seq.], except that individuals on assignment at the Institute under the Intergovernmental Personnel Act of 1970 shall not directly manage such employees.

**(3) Manager responsibility**

Program managers designated under paragraph (1) shall be responsible for—

(A) establishing and publicizing the broad research goals for the program;

(B) soliciting applications for specific research projects to address the goals developed under subparagraph (A);

(C) selecting research projects for support under the program from among applications submitted to the Institute, following consideration of—

(i) the novelty and scientific and technical merit of the proposed projects;

(ii) the demonstrated capabilities of the individual or individuals submitting the applications to successfully carry out the proposed research;

(iii) the impact the proposed projects will have on increasing the number of computer security researchers;

(iv) the nature of the participation by for-profit entities and the extent to which the proposed projects address the concerns of industry; and

(v) other criteria determined by the Director, based on information specified for inclusion in applications under subsection (c) of this section; and

(D) monitoring the progress of research projects supported under the program.

**(4) Reports**

The Director shall report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science annually on the use and responsibility of individuals on assignment at the Institute under the Intergovernmental Personnel Act of 1970 [42 U.S.C. 4701 et seq.] who are performing duties under subsection (d) of this section.

**(e) Review of program**

**(1) Periodic review**

The Director shall periodically review the portfolio of research awards monitored by each program manager designated in accordance with subsection (d) of this section. In conducting those reviews, the Director shall seek the advice of the Computer System Security<sup>1</sup> and Privacy Advisory Board, established under section 278g-4 of this title, on the appropriateness of the research goals and on the quality and utility of research projects man-

aged by program managers in accordance with subsection (d) of this section.

**(2) Comprehensive 5-year review**

The Director shall also contract with the National Research Council for a comprehensive review of the program established under subsection (a) of this section during the 5th year of the program. Such review shall include an assessment of the scientific quality of the research conducted, the relevance of the research results obtained to the goals of the program established under subsection (d)(3)(A) of this section, and the progress of the program in promoting the development of a substantial academic research community working at the leading edge of knowledge in the field. The Director shall submit to Congress a report on the results of the review under this paragraph no later than 6 years after the initiation of the program.

**(f) Definitions**

In this section:

**(1) Computer system**

The term “computer system” has the meaning given that term in section 278g-3(d)(1)<sup>2</sup> of this title.

**(2) Institution of higher education**

The term “institution of higher education” has the meaning given that term in section 1001(a) of title 20.

(Mar. 3, 1901, ch. 872, §22, as added Pub. L. 107-305, §8(a)(2), Nov. 27, 2002, 116 Stat. 2375.)

REFERENCES IN TEXT

Section 278g-3 of this title, referred to in subsecs. (a)(2) and (f)(1), was amended generally by Pub. L. 107-296, title X, §1003, Nov. 25, 2002, 116 Stat. 2269, and, as so amended, no longer contains a subsec. (d) defining “computer system” or a subsec. (f).

The Intergovernmental Personnel Act of 1970, referred to in subsec. (d)(2), (4), is Pub. L. 91-648, Jan. 5, 1971, 84 Stat. 1909, as amended, which enacted sections 3371 to 3376 of Title 5, Government Organization and Employees, and chapter 62 (§4701 et seq.) of Title 42, The Public Health and Welfare, amended section 1304 of Title 5 and section 246 of Title 42, repealed sections 1881 to 1888 of Title 7, Agriculture, and section 869b of Title 20, Education, and enacted provisions set out as notes under section 3371 of Title 5. For complete classification of this Act to the Code, see Short Title note set out under section 4701 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 22 of act Mar. 3, 1901, ch. 872, was renumbered section 32 and is classified to section 278q of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 7407 of this title.

**§ 278i. Reports to Congress**

(a) The Director shall keep the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives fully and currently informed with regard to all of the activities of the Institute.

(b) The Director shall justify in writing all changes in policies regarding fees for standard reference materials and calibration services oc-

curing after June 30, 1987, including a description of the anticipated impact of any proposed changes on demand for and anticipated revenues from the materials and services. Changes in policy and fees shall not be effective unless and until the Director has submitted the proposed schedule and justification to the Congress and 30 days on which both Houses of Congress are in session have elapsed since such submission, except that the requirement of this sentence shall not apply with respect to adjustments which are based solely on changes in the costs of raw materials or of producing and delivering standard reference materials or calibration services.

(Mar. 3, 1901, ch. 872, §23, as added Pub. L. 100-418, title V, §5114(2), Aug. 23, 1988, 102 Stat. 1432.)

#### CHANGE OF NAME

Committee on Science, Space, and Technology of House of Representatives treated as referring to Committee on Science of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

### § 278j. Studies by National Research Council

The Director may periodically contract with the National Research Council for advice and studies to assist the Institute to serve United States industry and science. The subjects of such advice and studies may include—

- (1) the competitive position of the United States in key areas of manufacturing and emerging technologies and research activities which would enhance that competitiveness;
- (2) potential activities of the Institute, in cooperation with industry and the States, to assist in the transfer and dissemination of new technologies for manufacturing and quality assurance; and
- (3) identification and assessment of likely barriers to widespread use of advanced manufacturing technology by the United States workforce, including training and other initiatives which could lead to a higher percentage of manufacturing jobs of United States companies being located within the borders of our country.

(Mar. 3, 1901, ch. 872, §24, as added Pub. L. 100-418, title V, §5114(2), Aug. 23, 1988, 102 Stat. 1432.)

### § 278k. Regional Centers for the Transfer of Manufacturing Technology

#### (a) Creation and support of Centers; affiliations; merit review in determining awards; objectives

The Secretary, through the Director and, if appropriate, through other officials, shall provide assistance for the creation and support of Regional Centers for the Transfer of Manufacturing Technology (hereafter in this chapter referred to as the "Centers"). Such centers<sup>1</sup> shall be affiliated with any United States-based non-profit institution or organization, or group thereof, that applies for and is awarded financial assistance under this section in accordance with the description published by the Secretary in

the Federal Register under subsection (c)(2) of this section. Individual awards shall be decided on the basis of merit review. The objective of the Centers is to enhance productivity and technological performance in United States manufacturing through—

- (1) the transfer of manufacturing technology and techniques developed at the Institute to Centers and, through them, to manufacturing companies throughout the United States;
- (2) the participation of individuals from industry, universities, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;
- (3) efforts to make new manufacturing technology and processes usable by United States-based small- and medium-sized companies;
- (4) the active dissemination of scientific, engineering, technical, and management information about manufacturing to industrial firms, including small- and medium-sized manufacturing companies; and
- (5) the utilization, when appropriate, of the expertise and capability that exists in Federal laboratories other than the Institute.

#### (b) Activities of Centers

The activities of the Centers shall include—

- (1) the establishment of automated manufacturing systems and other advanced production technologies, based on research by the Institute, for the purpose of demonstrations and technology transfer;
- (2) the active transfer and dissemination of research findings and Center expertise to a wide range of companies and enterprises, particularly small- and medium-sized manufacturers; and
- (3) loans, on a selective, short-term basis, of items of advanced manufacturing equipment to small manufacturing firms with less than 100 employees.

#### (c) Duration and amount of support; program descriptions; applications; merit review; evaluations of assistance; applicability of patent law

(1) The Secretary may provide financial support to any Center created under subsection (a) of this section for a period not to exceed six years. The Secretary may not provide to a Center more than 50 percent of the capital and annual operating and maintenance funds required to create and maintain such Center.

(2) The Secretary shall publish in the Federal Register, within 90 days after August 23, 1988, a draft description of a program for establishing Centers, including—

- (A) a description of the program;
- (B) procedures to be followed by applicants;
- (C) criteria for determining qualified applicants;
- (D) criteria, including those listed under paragraph (4), for choosing recipients of financial assistance under this section from among the qualified applicants; and
- (E) maximum support levels expected to be available to Centers under the program in the fourth through sixth years of assistance under this section.

<sup>1</sup> So in original. Probably should be capitalized.